



City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council
City of Norfolk, Virginia

October 23, 2012

From: Frank M. Duke, AICP, Planning Director

Subject: To amend a previously granted Special Exception for an Entertainment Establishment at 200 East Plume Street – The Palace on Plume by Christopher Falk

Reviewed: Anne F. Odell, AICP, Assistant City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-13

I. Recommendations:

Approval considering compliance with *Zoning Ordinance* requirements, consistency with approved plans, and modifications made by the applicant at the Planning Commission public hearing.

II. Applicant: The Palace, Inc. by Christopher Falk
200 East Plume Street

III. Description

This agenda item is to amend a previously granted Special Exception for an Entertainment Establishment to change managers, to revise the floor plans to include use of the rooftop and increase the hours of operation.

IV. Analysis

- The site is currently operating as an Entertainment Establishment within Downtown which is developed with a mix of residential and commercial uses.
- The *General Plan* designates this site as Commercial/Office, making the proposed use consistent with the *General Plan*.

	Current	Proposed
Hours of Operation	10:00 a.m. until 2:00 a.m. Seven days a week	Unchanged

	Current	Proposed
Hours for the Sale of Alcohol and Entertainment	11:00 a.m. until 2:00 a.m. Seven days a week	Unchanged
Seating Capacity	239 seats indoors 360 total capacity	239 seats indoors 48 rooftop seats 320 total capacity
Entertainment	5 member band Disc Jockey Karaoke Comedian Singer	Unchanged

- The additional seats are expected to generate approximately 86 new vehicle trips per day.
- The site is adjacent to a light rail station and near frequent bus service.
- The site is located in a D-2 (Downtown Regional Center District) district which permits the use by Special Exception.
- Special Exception History:

City Council Approval	Applicant	Changes
9 February 2010	The Palace by Curtis Anderson	<ul style="list-style-type: none"> • Seating – 138 • Dance floor – 155 sq. ft. • Entertainment: Disc Jockey, Karaoke, 5 member band, master of ceremonies
11 May 2010	The Palace by Curtis Anderson	<ul style="list-style-type: none"> • Increase in seating from 138 to 184 • Decrease size of dance floor from 488 sq. ft. to 150 sq. ft.
10 October 2010	The Palace, Inc. by Chris Falk	<ul style="list-style-type: none"> • Increase in seating from 184 to 209 • Entertainment: Addition of singers and comedians • All new managers
13 December 2011	The Palace, Inc. by Chris Falk	<ul style="list-style-type: none"> • Increase in seating from 209 to 239 • New managers
Pending	The Palace Inc. by Chris Faulk	<ul style="list-style-type: none"> • Add roof top area, including a 240 sq. ft. dance floor • Increase in seating from 239 to 287 • Decrease total occupancy from 360 to 320 • New managers

- The seating plan for the rooftop shows replacement of an elevator shaft structure with a closet and installation of a capped rail system of Plexiglas with a total height of 42 inches.
 - This railing will extend along Plume Street and the alley along the west side of the building.
 - These items will all be visible from public rights of way and a Certificate of Appropriateness will be required before a building permit for them can be issued.
 - Although the parapet and railing meet the building code requirement of 42 inches in height such a railing cannot contain debris and materials, either intentionally thrown or unintentionally blown onto the street or alleyway.
 - With only the railing separating the outdoor bar from the edge of the building fronting directly on Plume Street and the alley heavier objects mistakenly dropped or ejected would cause a serious public safety risk.
- The applicant originally requested to remain open until 3:00 a.m., leading staff to recommend denial based on the proposed hours of operation.
 - At the public hearing, the applicant amended the request to extend hours of operation to 3:00 a.m., agreeing to maintain the existing 2:00 a.m. closing time, consistent with the closing time of other entertainment establishments in the area.
- The Planning Commission recommended that the Special Exception include an 18 month sunset period due to the City's lack of experience with roof-top entertainment facilities.

V. Financial Impact

- The applicant is current on all taxes.

VI. Environmental

- Over the past year there have been 20 calls for service with one arrest.

VII. Community Outreach/Notification

- Legal notice was posted on the property on August 21.
- Letters were mailed to the Downtown Norfolk Council and Downtown Civic League President on September 7.
- Notice was sent to the civic leagues by the Department of Communications on September 11.
- Letters were mailed to all property owners within 300 feet of the property on September 11.
- Legal notification was placed in *The Virginian-Pilot* on September 13 and 20.
- The Planning Commission Public Hearing was held September 27, 2012.
- Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

By a vote of **5 to 0, (with 2 abstentions)** the Planning Commission recommended that the request to amend the existing Entertainment Establishment Special Exception be **approved**, subject to the conditions outlined in the attached ordinance.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Proponents and Opponents
- Ordinance
- Location Map
- Zoning Map
- Application
- Letter to Downtown Civic League

Proponents and Opponents

Proponents

Chris Falk
205 S. Battlefield Boulevard, Suite 100
Chesapeake, VA 23322

Kenneth Bullock
P.O. Box C749
Chesapeake, VA 27323

Opponents

None

9/28/12 ts
Form and Correctness Approval:

By [Signature]
Office of the City Attorney

Contents Approved:

By [Signature]
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

R-13
AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO
OPERATE AN ENTERTAINMENT ESTABLISHMENT ON
PROPERTY LOCATED AT 200 EAST PLUME STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to The Palace, Inc., authorizing the operation of an entertainment establishment named "The Palace" on property located at 200 East Plume Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 28 feet, more or less, along the northern line of East Plume Street, beginning 151 feet, more or less, from the eastern line of Granby Street and extending eastwardly; premises numbered 200 East Plume Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the facility shall be from 10:00 a.m. until 2:00 a.m. the following morning, seven days per week. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) The hours of operation for the sale of alcoholic beverages and for entertainment shall be from 11:00 a.m. until 2:00 a.m. the following morning, seven days per week.
- (c) The seating for the facility shall not exceed 239 seats indoors, 48 seats outdoors, and the total occupant capacity, including employees, shall not exceed 320 people.

- (d) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation or management of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (e) Entertainment shall be limited to live bands having no more than (5) members, disc jockey, comedian, karaoke and singer. No other forms of entertainment are permitted.
- (f) The dance floor on the first floor shall not exceed 80 square feet, the dance floor on the second floor shall not exceed 150 square feet, and the dance floor on the rooftop shall not exceed 240 square feet. The dance floors shall be located as indicated on any of the floor plans attached hereto and as marked as "Exhibit B," and each shall be constructed of a different material than the primary floor material.
- (g) The layout of the establishment shall adhere to the specifications of any of the floor plans attached hereto and marked as "Exhibit B."
- (h) No door to the facility which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The facility shall maintain a current,

active business license at all times while in operation.

- (j) The facility shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the facility's staff and shall not be permitted within any restroom.
- (l) During all hours of operation, the facility operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (m) The facility shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The facility shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) A menu shall be provided containing an assortment of foods which shall be made available at all times the restaurant is open. A food menu and full dining service shall be available at the bar.
- (o) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the

premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (p) Any requirements, limitations, or restrictions imposed by the Virginia ABC Commission or by any provision of Virginia law upon this establishment which are more stringent than the requirements of this Special Exception shall be effective and binding. Any violation of such requirement, limitation, or restriction imposed by the ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (q) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the facility is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (r) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

- (s) Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility.
- (t) The facility manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (u) A binder or folder containing documentation relating to the operation of the facility shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the facility shall include copies of the following:
 - (1) This Special Exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the facility at any time;
 - (9) The facility's designated driver program; and
 - (10) The facility's Security Plan.

- (v) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 200 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (w) Notwithstanding the requirement at subsection (v), above, at all times when the rooftop area is open to patrons, at least three security guards shall be provided.
- (x) The written security plan submitted to the City as part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the facility is in operation.
- (y) Security cameras shall be installed in the facility and shall provide coverage for the entire rooftop area.
- (z) No improvements or other alterations of any kind shall be made on the rooftop unless and until a certificate of appropriateness authorizing such has been granted.
- (aa) Amplified music shall be prohibited on the rooftop at all times after 12:00 midnight, seven days per week.
- (bb) All portions of the wall surrounding the rooftop area shall be improved or extended to achieve a solid wall not less than eight (8) feet in height, measured from the floor level immediately adjacent thereto.

- (cc) This Special Exception shall automatically expire eighteen months from the date that a certificate of occupancy is issued authorizing the use of the rooftop area. Prior to the expiration date, but no sooner than one year from the effective date of this ordinance, the property owner or manager may begin the application process for a new Special Exception.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures,

police and fire protection, refuse disposal, parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exception permitting the operation of an Entertainment Establishment on this property, adopted on October 12, 2010, (Ordinance No. 44,014) and all provisions and conditions previously approved are entirely superseded by the terms of this Special Exception.

Section 5:- That this ordinance shall be in effect

from the date of its adoption.

ATTACHMENTS:

Exhibit A (5 pages)

Exhibit B (6 pages)

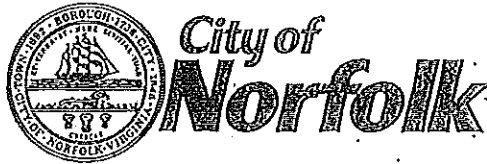


EXHIBIT "A"
Description of Operations
Entertainment Establishment

Date of Application 8-13-12

Trade name of business: THE PALACE ON PLUME

Address of business: 200 EAST PLUME STREET

Name(s) of business owner(s): CHARLES PAUL KENNETH E. BULLOCK owner THE PALACE INC, A VA CORP

Name(s) of property owner(s): VERCO NORFOLK, LLC

Name(s) of business manager(s)/operator(s): SEE ATT.

Daytime telephone number: (757) 402-4224

* If business or property owner is an LLC or Corporation, all partners must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>	<u>Alcoholic Beverage Sales</u>
Weekday From <u>10 AM</u> To <u>2 AM</u>	Weekday From <u>11 AM</u> To <u>2 AM</u>
Friday From <u>10 AM</u> To <u>3 AM</u>	Friday From <u>11 AM</u> To <u>2 AM</u>
Saturday From <u>10 AM</u> To <u>3 AM</u>	Saturday From <u>11 AM</u> To <u>2 AM</u>
Sunday From <u>10 AM</u> To <u>2 AM</u>	Sunday From <u>11 AM</u> To <u>2 AM</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

THE PALACE ON PLUME

ABC MANGERS

CHRIS FALK, PAUL TRAMATUNO, RASHEEN
SAVALI, ~~TIMOTHY MICHAEL~~, MIKE JONES, ~~WILLIAM B. BUCHANAN~~,
KENNETH BULLOCK, *Pedro Andere*

Exhibit A
Entertainment Establishment
Page 2

3. Will video games, pool tables, game boards or other types of entertainment be provided?
☐ Yes ☒ No

3a. If yes, please describe type and number of each game to be provided:

4. Will patrons ever be charged to enter the establishment?
☒ Yes ☐ No

4a. If yes, why:

COVER CHARGE WILL START AT TEN O'CLOCK
AND WILL VARY BASED ON EVENT

4b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

5. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

5a. If yes, explain:

TAG VENUE AIMS TO CATER TO CORPORATE
EVENTS AND BUSINESS PROFESSIONALS. WE WILL
OFFER PRIVATE PARTIES AS AN OPTION FOR BIRTHDAY
PARTIES, HOLIDAYS, AND OTHER CELEBRATIONS

Exhibit A
Entertainment Establishment
Page 3

6. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

6a. If yes, explain:

7. Type of ABC license applied for (check all applicable boxes):
☒ On-Premises ☐ Off-Premises (second application required)

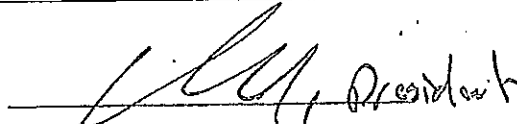
8. Will there ever be a minimum age limit?
☒ Yes ☐ No

9. Will there be smoking in the establishment?
☐ Yes ☒ No

10. Additional comments/description/operational characteristics:

Signature of Applicant

13. Additional comments/description/operational characteristics:


Signature of Applicant

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

Exhibit B

Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. Indoor

Number of seats 88
(not including bar seats)

Number of bar seats 46
Number of tables 22

b. Outdoor

Number of seats 42

Number of tables 12

c. Number of employees 20

Total Occupancy (Indoor and Outdoor and employees) 300

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 2 4-Tops _____ 6 Tops

Other: _____

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

4a. If yes, describe in detail:

LAVAGOLE, FEVERICE BAKK, DISCO JOCLEY, COMEDIAN, SINGERS

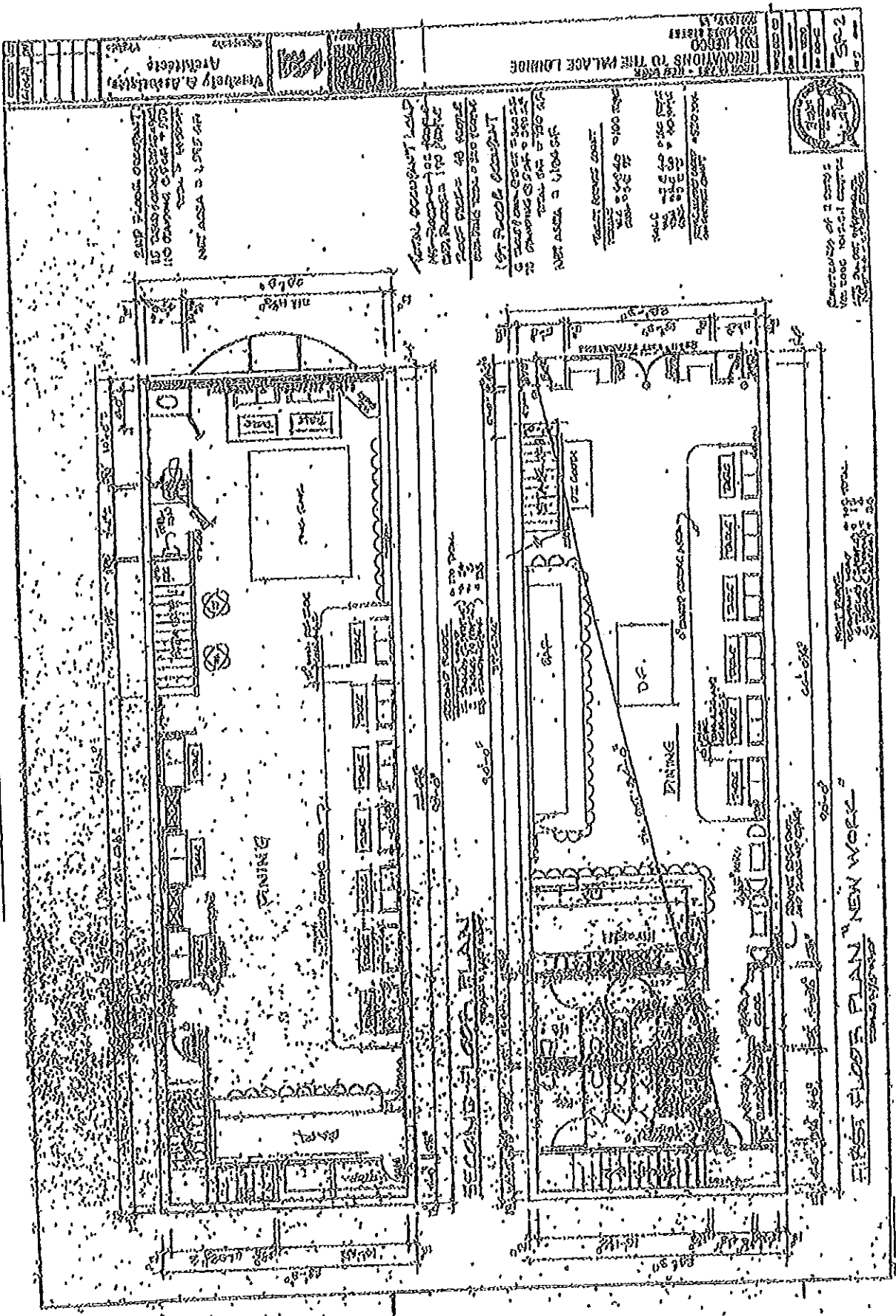
4. Will a dance floor be provided?

☒ Yes ☐ No

4a. If yes, square footage of establishment 1804 sq ft

square footage of dance floor 80 sq ft

150 sq ft



REAR PORCH
FRONT PORCH
DINING
KITCHEN
BED ROOM
BATH

REAR PORCH
FRONT PORCH
DINING
KITCHEN
BED ROOM
BATH

REAR PORCH
FRONT PORCH
DINING
KITCHEN
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BATH

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BED ROOM
BATH

REAR PORCH
FRONT PORCH
DINING
KITCHEN
BED ROOM
BATH

Exhibit A
Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. Indoor

Number of seats 193
(not including bar seats)

Number of bar seats 46
Number of tables 43

b. Outdoor

Number of seats 48 Number of tables 12

c. Number of employees 20

Total Occupancy (Indoor and Outdoor and employees) 320

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 30 4-Tops 6 Tops

Other:

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

4a. If yes, describe in detail:

KANAKU, FIVE PIECE BAND, DISCO, COMEDIAN, SINGER

4. Will a dance floor be provided?

☒ Yes ☐ No

4a. If yes, square footage of establishment 4884 sq ft

square footage of dance floor 80 sq ft 14 ft
150 sq ft 2 sq ft
240 sq ft Rooftop

Exhibit A
Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. **Indoor**

Number of seats 114
(not including bar seats)

Number of bar seats 46
Number of tables 22

b. **Outdoor**

Number of seats 48

Number of tables 6

c. **Number of employees** 20

Total Occupancy (Indoor and Outdoor and employees) 320

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 2 4-Tops 6 Tops

Other:

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

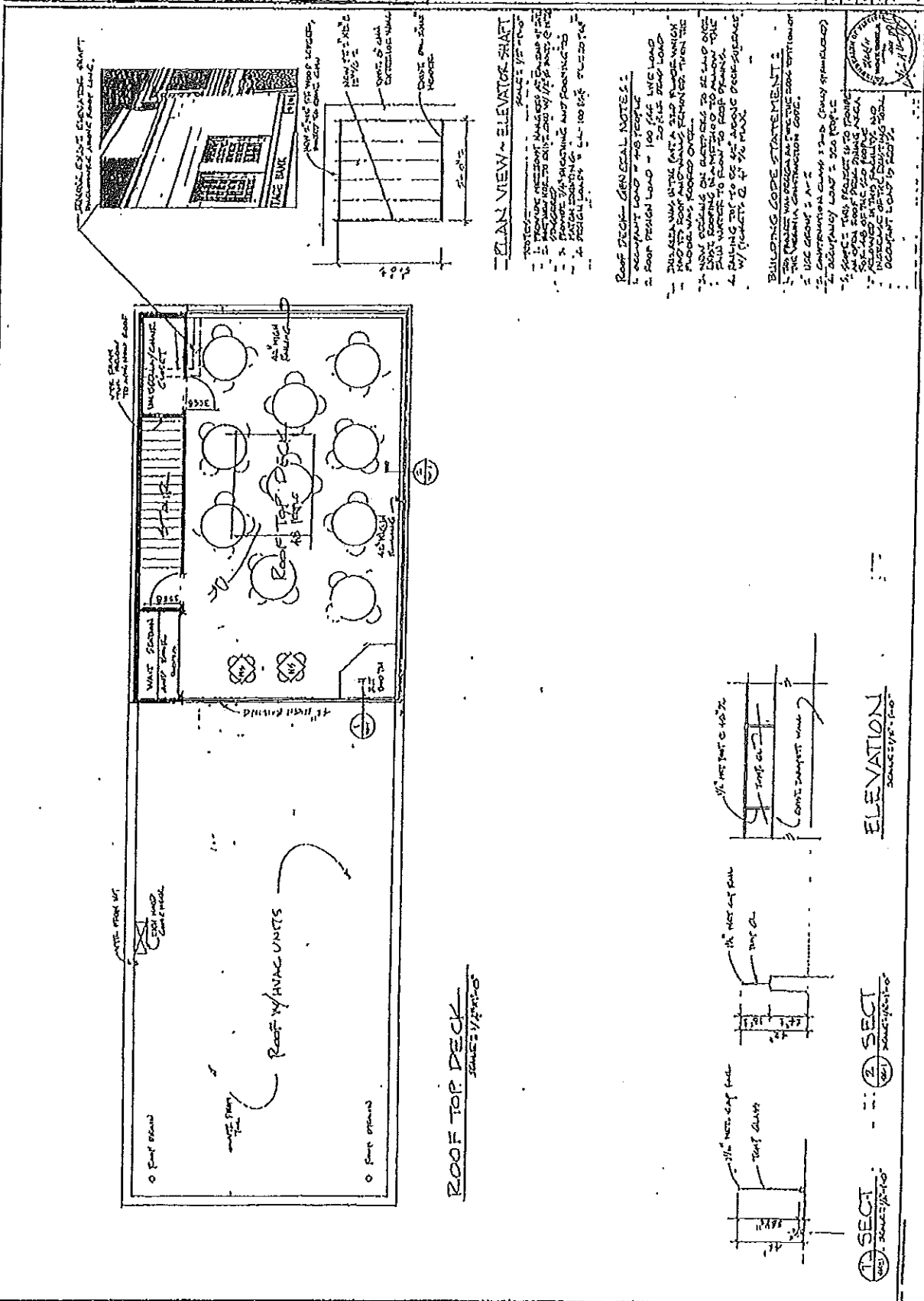
4a. If yes, describe in detail:

KARAOKE, FIVE PIECE BAND, DISCOCKEY, COMEDIAN, STRIPER

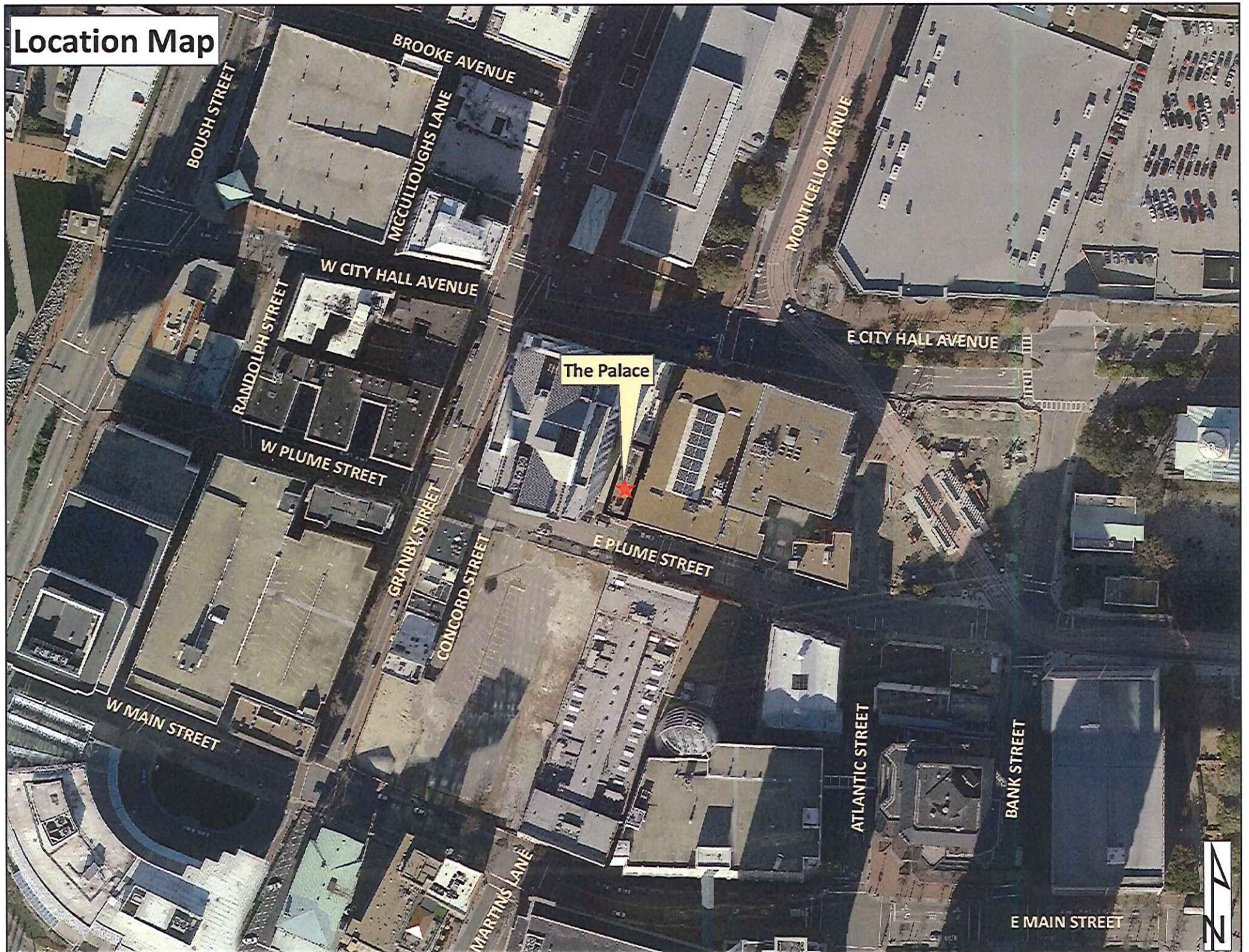
4. Will a dance floor be provided?

☒ Yes ☐ No

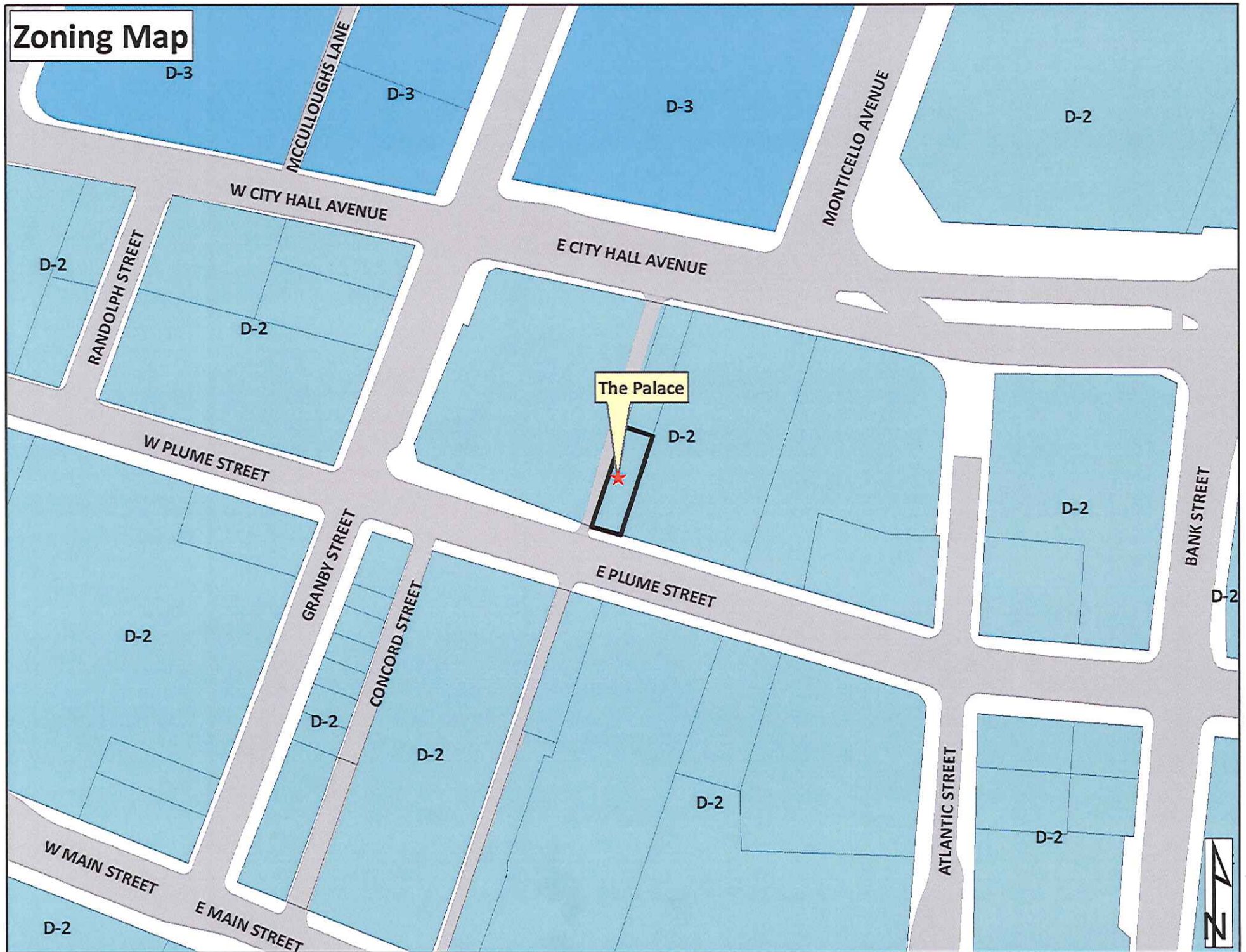
4a. If yes, square footage of establishment 4884 sqft
square footage of dance floor 80 sqft 4 sqft floor
150 sqft 2 sqft
240 sqft Rooftop



Location Map



Zoning Map





City of Norfolk

APPLICATION ADULT USE SPECIAL EXCEPTION ENTERTAINMENT ESTABLISHMENT

Date of Application: 8-18-18

DESCRIPTION OF PROPERTY

Property location: (Street Number) 200 (Street Name) EAST PLUME STREET

Existing Use of Property Ent. Establishment

Current Building Square Footage 4884 SF

Proposed Use RESTAURANT WITH LIVE MUSIC

Proposed Building Square Footage 4884 SF

Trade Name of Business (If applicable) THE PALACE ON PLUME STREET

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) FALK, PRESIDENT (MI) N. (First) CHRISTOPHER

Mailing address of applicant (Street/P.O. Box): 205 SOUTH BATTLEFIELD BLVD SUITE 101

(City) CHESAPEAKE (State) VA (Zip Code) 23302

Daytime telephone number of applicant (757) 482-4224 Fax number (757) 482-3633

E-mail address of applicant: FALK@AOL.COM

2. Name of property owner: (Last) KEBCO NORFOLK LLC (MI) (First) _____

Mailing address of property owner (Street/P.O. box): PO BOX 6749

(City) CHESAPEAKE (State) VA (Zip Code) 23303

Daytime telephone number of owner (757) 435-4305 Fax number (757) 484-5883

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

CIVIC LEAGUE INFORMATION

Civic League contact: Kevin MURPHY

Date(s) contacted: _____

Ward/Super Ward information: _____

REQUIRED ATTACHMENTS

- ✓ Check for \$265.00 made payable to Norfolk City Treasurer.
- ✓ 2 8½x14 copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example).
- ✓ 2 8½x14 copies of a floor plan drawn to scale showing seats, tables, bar, dance floor area, disc jockey area, and ingress and egress (see attached example).
- ✓ Completed Exhibit A, Description of Operations.
- ✓ Please provide a brief description of the business (i.e., # of employees, current locations, type of restaurant, etc...).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

SIGNED: Keith E. Bell 7.18.2011
(Property owner or authorized agent signature) (Date)

SIGNED: [Signature] 7.18.2011
(Applicant signature) (Date)

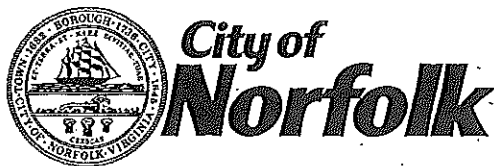


EXHIBIT "A"
Description of Operations
Entertainment Establishment

Date of Application 8-13-12

Trade name of business: THE PALACE ON PLUME

Address of business: 200 EAST PLUME STREET

Name(s) of business owner(s): CHARLES PAIK, KENNETH E. BULLOCK owners THE PALACE INC, A VA CORP.

Name(s) of property owner(s): KERCO NORFOLK, LLC

Name(s) of business manager(s)/operator(s): SEE ATT.

Daytime telephone number: (757) 482-4224

* If business or property owner is an LLC or Corporation, all partners must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales
Weekday From <u>10 AM</u> To <u>2 AM</u>	Weekday From <u>11 AM</u> To <u>2 AM</u>
Friday From <u>10 AM</u> To <u>3 AM</u>	Friday From <u>11 AM</u> To <u>2 AM</u>
Saturday From <u>10 AM</u> To <u>3 AM</u>	Saturday From <u>11 AM</u> To <u>2 AM</u>
Sunday From <u>10 AM</u> To <u>2 AM</u>	Sunday From <u>11 AM</u> To <u>2 AM</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

THE PALACE ON PLUME

ABC MANGERS

CHRIS FALK, PAUL TRAMATUNO, RASHEEN
SAVALL, ~~TIMOTHY MITCHELL~~, MIKE JONES, ~~MELANIE BOUCHITT~~,
KENNETH BULLOCK, *Pedro Andere*

Exhibit A
Entertainment Establishment
Page 2

3. Will video games, pool tables, game boards or other types of entertainment be provided?
☐ Yes ☒ No

3a If yes, please describe type and number of each game to be provided:

4. Will patrons ever be charged to enter the establishment?
☒ Yes ☐ No

4a. If yes, why:

COVER CHARGE WILL START AT TEN O'CLOCK
AND WILL VARY BASED ON EVENT

- 4b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

5. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

5a. If yes, explain:

THE VENUE AIMS TO CATER TO CORPORATE
EVENTS AND BUSINESS PROFESSIONALS. WE WILL
OFFER PRIVATE PARTIES AS AN OPTION FOR BIRTHDAY
PARTIES, HOLIDAYS, AND OTHER CELEBRATIONS

Exhibit A
Entertainment Establishment
Page 3

6. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

6a. If yes, explain:

7. Type of ABC license applied for (check all applicable boxes):
☒ On-Premises ☐ Off-Premises (second application required)

8. Will there ever be a minimum age limit?
☒ Yes ☐ No

9. Will there be smoking in the establishment?
☐ Yes ☒ No

10. Additional comments/description/operational characteristics:

Signature of Applicant

13. Additional comments/description/operational characteristics:

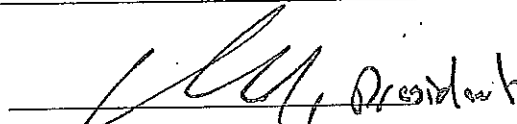

Signature of Applicant

Exhibit A
Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. Indoor

Number of seats 88
(not including bar seats)

Number of bar seats 46
Number of tables 22

b. Outdoor

Number of seats 48

Number of tables 12

c. Number of employees 20

Total Occupancy (Indoor and Outdoor and employees) 320

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 2 4-Tops 6 Tops

Other:

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

4a. If yes, describe in detail:

KARAOKE, FIVE PIECE BAND, DISC JOCKEY, COMEDIAN, SINGER

4. Will a dance floor be provided?

☒ Yes ☐ No

4a. If yes, square footage of establishment 4884 sq ft
square footage of dance floor 80 sq ft

150 sq ft 2 ft
240 sq ft Roof top

Exhibit A
Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. Indoor

Number of seats 193
(not including bar seats)

Number of bar seats 46
Number of tables 43

b. Outdoor

Number of seats 48 Number of tables 12

c. Number of employees 20

Total Occupancy (Indoor and Outdoor and employees) 320

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 30 4-Tops 6 Tops

Other:

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

4a. If yes, describe in detail:

KANADIE, FIVE PIECE BAND, DJS TOOLEY, COMEDIAN, SINGER

4. Will a dance floor be provided?

☒ Yes ☐ No

4a. If yes, square footage of establishment 4884 sqft

square footage of dance floor 80 sqft 14 ft
150 sqft 2 sqft
240 sqft. R&H

Exhibit A
Entertainment Establishment
Floor Plan(s)

1. Seating (Approved floor plan must be attached)

a. Indoor

Number of seats 114
(not including bar seats)

Number of bar seats 46
Number of tables 22

b. Outdoor

Number of seats 48

Number of tables 0

c. Number of employees 20

Total Occupancy (Indoor and Outdoor and employees) 320

2. Describe type tables and booth (i.e., rounds of 4, booth seats 6, etc.)

2 2-Tops 2 4-Tops 6 Tops

Other:

3. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☒ Yes ☐ No

4a. If yes, describe in detail:

KARAOKE, FIVE PIECE BAND, DISC JOCKEY, COMEDIAN, SINGERS

4. Will a dance floor be provided?

☒ Yes ☐ No

4a. If yes, square footage of establishment 4884 sqft
square footage of dance floor 80 sqft 4 sqft
150 sqft 2 sqft
240 sq. ft Roof

SECURITY PLAN OF

**The Palace On Plume Street
200 East Plume Street
Norfolk, VA 23510**

GOALS

- To provide a safe and controlled atmosphere for all patrons of The Palace.
- To maintain a peaceful conduct within the establishment and also neighboring businesses around The Palace.
- To make a safe and orderly exit at the end of the night with all patrons complying with the rules and regulations of The Palace and also the City of Norfolk.
- To greet patrons and serve as the initial point of contact when entering The Palace.
- To peacefully and effectively resolve all dangerous situations before any injury to any person or property may occur. The Palace security team shall provide an assertive presence by displaying integrity and professionalism while executing their duties and responsibilities in an effort to maintain security, protection and safety of members of the public.
- To ensure a complete, orderly, safe and expeditious evacuation of the facility in case of fire or other emergency.

Features of the Plan

- There are 9 security guards for every weekend. Meaning that there is one security for every 40 people. (**Based on assumed capacity of 360 people.)
- Each security person shall be dressed in all black business suits with staff badges affixed to their lapel to distinguish themselves from patrons.
- There will one security team member at the front door to greet patrons and check identification. Three security team members strategically positioned out on each floor and two security team members will serve as rovers throughout the entire facility.
- In case of a Fire all security staff will use both exits to vacate building.
- The security staff DCJS certificate will be kept on file on the premises with other critical operational documentation.

RULES AND REGULATIONS

- Dress Code will be enforced by doorman and inside staff.

- Any patrons violating the non-smoking policy will be asked to leave the establishment.
- The establishment will cooperate with all Law Enforcement officials.
- The business will also cooperate with any other neighboring establishment trying to resolve any problems that are deemed dangerous or unsafe.
- The Palace will maintain an EXCLUSIVE UPSCALE DRESSCODE that will include the following: Absolutely no athletic wear, no T Shirts, No ball caps, No sneakers, no work boots, no excessively baggy clothing.
- Palace patrons will be held to higher standards of appearance and behavior in accordance with the owner and manager CHRIS FALK
- Business suits and other professional clothing will be considered the desired standard of dress for Palace patrons.

DUTIES AND RESPONSIBILITIES

- Security leader will enforce occupancy limits with the manager and floor plan.
- Security leader will serve as liaison between law enforcement and manager on duty of the Palace.
- Security Team Leader will make sure the sidewalk is accessible to all pedestrians by keeping the entrance line in order.
- Walk establishment and make sure all patrons and staff are abiding by the rules and regulations.
- Coordinate during an emergency evacuation by taking control of the establishment and making sure all patrons are expeditiously exited.
- Security will coordinate with manager to decide when to stop admitting patrons into the facility so the security team can conduct a sweep of the surrounding area to remove loitering trespassers and to curb potential disorderly conduct from occurring.
- Security team will also sweep the sidewalk periodically to maintain a safe and orderly environment.
- Security team will also ask anybody loitering to either please get in the line or leave the front of the establishment. If the person or persons do not wish to comply law enforcement will be alerted to the non-compliant person or persons.
- Security will always maintain a correct and orderly line by using line monitoring. Such things to be aware of are: passing of ID's; monitoring the dress code, and filtering out unruly patrons.

DOOR SECURITY

- Doorman or Front Door security will serve as a integral part of the security team.
- Doorman will check ID's and make sure that all people entering the venue after 10pm on the weekends are at least 21 or 25 older
- Doorman will keep a clicker to count the number of people entering and exiting the restaurant.
- Doorman will maintain DJCS certification

- Doorman will ensure that no alcoholic beverages are taken out of the restaurant.
- Doorman will greet patrons with warm welcome to promote good hospitality

COMMUNICATION

- Staff will communicate via hand held radio.
- Flashlights will also be used to alert immediate attention as needed.
- Entire staff will use a daily communication log to document any pertinent communication that needs to be handled by management during non-work hours.
- In the event of an emergency, the general manager will make the final call regarding any major discrepancies.
- Dress code will be communicated and enforced by doorman/outside security but will also be permanently posted on the outside of the building so that people waiting to enter can read the information.

Electronic Security

- Premises are monitored by electronic cameras that can be viewed remotely and while on site.
- Establishment also had a 24/7 alarm system accompanied by a fire system and sprinkler system also in case of emergencies.
- Only Management will have password to Alarm System.

EMERGENCY EVACUATION PLAN

- In the in case of emergency, the security team will be responsible for evacuating the patrons and staff out of the building.
- The front double doors will both be opened to allow evacuation to take place expeditiously.
- Second floor security team members will direct patrons to move from the back of the facility towards the front of facility and down the stairs to the 1st floor.
- Security on the 1st floor will direct patrons towards the front door and out of the building.
- The rear steps and rear door will serve as an alternate and additional exit in extreme cases or if one of the exits is blocked.
- As people exit the building the door security will direct patrons away from the building while advising them to return to their vehicles.
- If they emergency is severe, any member of the staff is empowered to call 911 immediately.

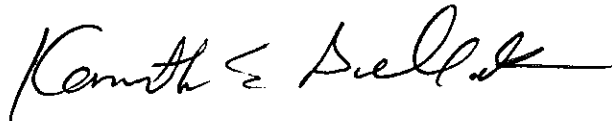
THE PALACE ON PLUME

SECURITY ADDENDUM

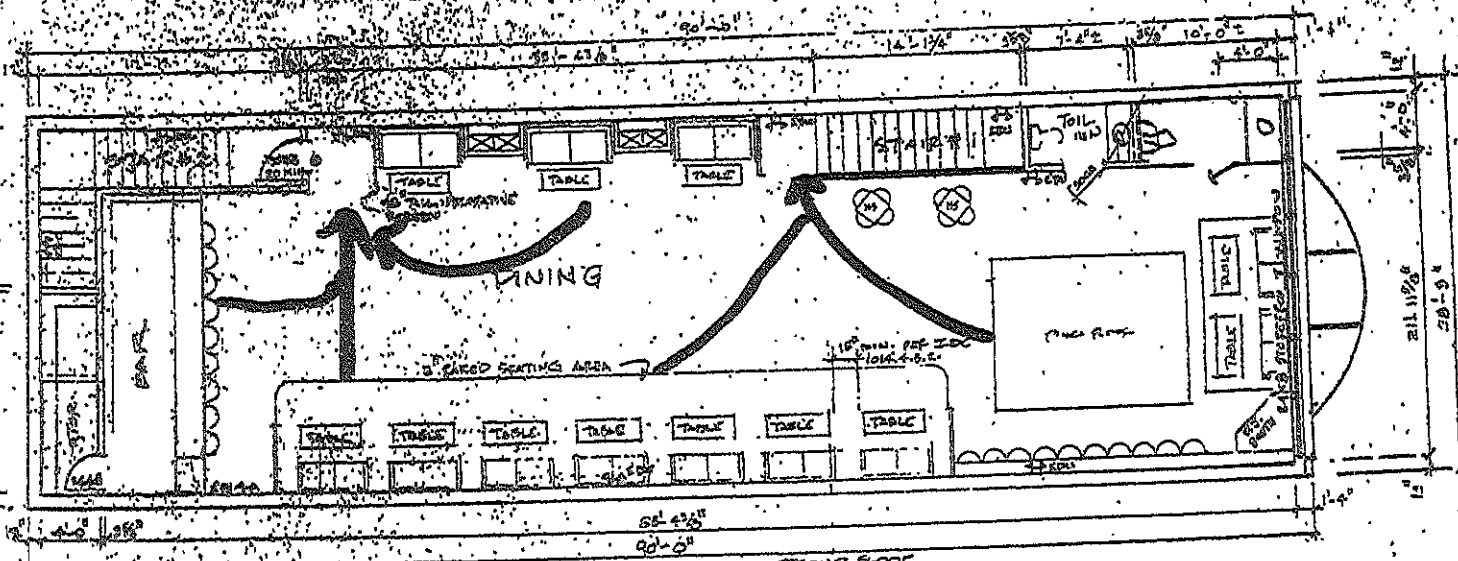
TO WHOM IT MAY CONCERN:

THE PALACE ON PLUME WILL INCREASE THERE SECURITY TO REASURE ANY CONCERNS THAT HAS COME ABOUT REFERENCING THE ROOF TOP BAR. THE PALACE ON PLUME WILL ADD 4 (FOUR) SECURITY GAURDS ON THE ROOF TOP AT ALL TIMES AND ADD SECIRITY CAMERAS TO ASURE SAFTY AND CONTROL AT ALL TIMES ALSO THE PALACE WILL ONLY BE USING PLASTIC CUPS AND GLASSES FOR ALL CUSTOMERS NO EXCEPTIONS.

Kenneth E. Bullock

A handwritten signature in black ink, appearing to read "Kenneth E. Bullock", with a stylized flourish at the end.

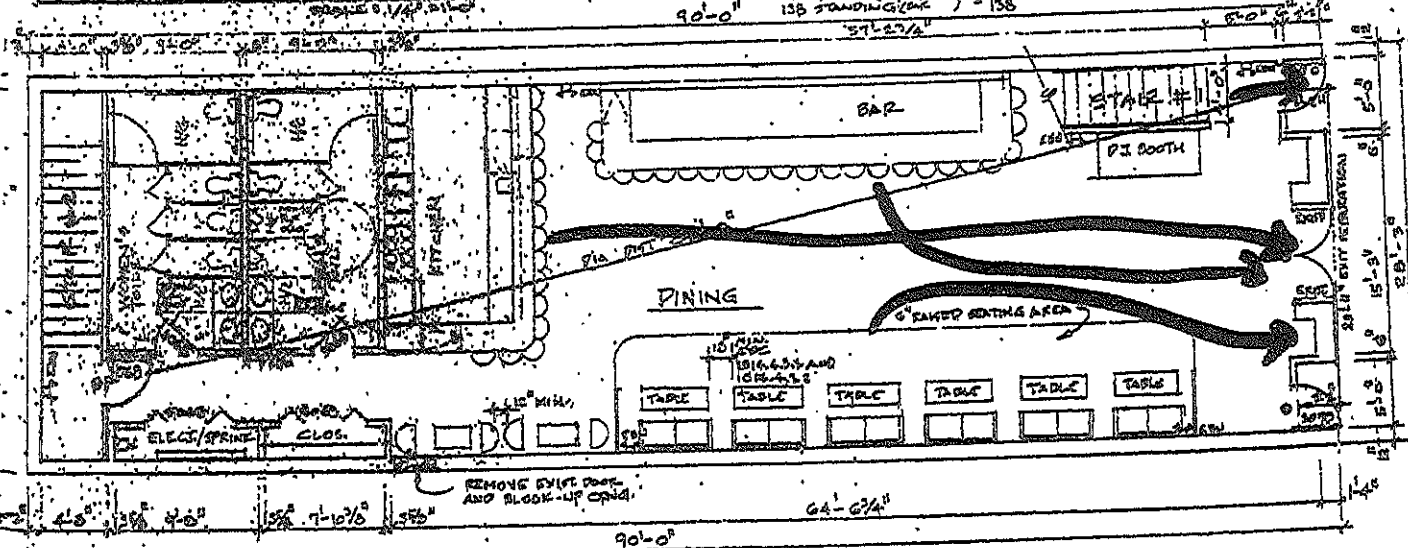
Evacuation Plan



SECOND FLOOR PLAN

SECOND FLOOR

DEQUANT LOAD	= 170 TOTAL
12 TABLES (2 PEOPLE)	= 24
2 TABLES (4 PEOPLE)	= 8
138 STANDING GUESTS	= 138



FIRST FLOOR PLAN "NEW WORK"

FIRST FLOOR

OCCUPANT LOAD	=	102	TOTAL
6 TABLES (2 PEOPLE)	=	12	
2 TABLES (2 PEOPLE)	=	4	
20 STUDENTS (10 AT EACH)	=	20	

2ND FLOOR OCCUPANT:
15 TUBS @ 400 LBS EACH = 6,000
110 STANDING @ 50 LBS EACH = 5,500
TOTAL = 11,500 LB.
NET AREA = 4,595 SF.

TOTAL OCCUPANT LOAD
 1ST FLOOR = 102 PEOPLE
 2ND FLOOR = 170 PEOPLE
 ROOF DECK = 48 PEOPLE
BUILDING TOTAL = 320 PEOPLE

1ST FLOOR OCCUPANT

6 TABLE CHAIR @ 15 S.F.	= 90 S.F.
78 STANDING @ 5 S.F.	= 390 S.F.
TOTAL S.F.	= 780 S.F.
NET AREA	= 1,184 S.F.

TOILET FEATURES COUNT

PCXALC
WG = 4040 = 160 PAGES
GIVE = 2075

MALE
WG = 3 G 40 = 120 PEOPLE
VRN = 2 G 20 = 40 PEOPLE
GINK = 3 G 75

PEOPLE ALLOWED BASED
ON PICTURE COUNT = 520 MAX.

REMOTENESS OF 2 EXITS:
VCC 2006 1015.2.1 EXCEPT 2
ISS DIA. OUT W/O SPENCELE
NOT A 10 8 9 10-02 RCD/G

**Verely & Associates
Architects**

FLOOR PLANS - NEW YORK
 REVISIONS TO THE PALACE LOUNGE

RENOVATING
FOR HERCO
220 PLUME STREET

000 16 067 00

1998年12月10日

44-38861-13

SP-2

155



City of NORFOLK

August 27, 2012

Cathy Coleman
President, Downtown Norfolk Council
201 Granby Street, Suite 101
Norfolk, VA 23510

Dear Ms. Coleman,

The Planning Department has received an application from The Palace on Plume to amend an existing Entertainment Establishment Special Exception at property located at 200 East Plume Street. This request is tentatively scheduled for the September 27, 2012, City Planning Commission public hearing.


Summary

This request, if approved, will allow the applicant to continue to operate without alcohol and entertainment until 3:00 a.m., the use of the rooftop for additional seating and the addition of a new business owner.

	Current	Proposed
Hours of Operation	10:00 a.m. until 2:00 a.m., Seven days a week	10:00 a.m. until 2:00 a.m., Sunday through Thursday 10:00 a.m. until 3:00 a.m., Friday and Saturday
Hours for the Sale of Alcohol and Entertainment	11:00 a.m. until 2:00 a.m. Seven days a week	Unchanged
Seating Capacity	209 seats indoors 360 total capacity	239 seats indoors 48 seats rooftop 320 total capacity
Entertainment	5 member band Disc Jockey Karaoke Comedian Singer	Same

If you would like additional information on the request, you may contact the applicant at (757) 482-4224 or you may telephone Susan Pollock on my staff at (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Duke". The signature is fluid and cursive, with a large, stylized "F" and "D".

Frank M. Duke, AICP
Planning Director

cc: Onecia Howard, Neighborhood Development Specialist



City of NORFOLK

September 7, 2012

Kevin Murphy
President, Downtown Norfolk Civic League
P.O. Box 3655
Norfolk, VA 23514

Dear Mr. Murphy,

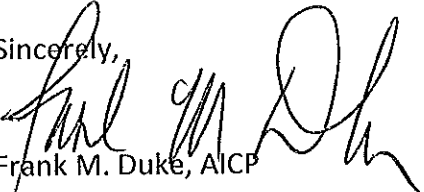
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